

IN THE UNITED STATES BANKRUPTCY COURT FOR
THE SOUTHERN DISTRICT OF MISSISSIPPI

IN THE MATTER OF:

CHAPTER 13 NO.:

BENJAMIN HARRISON WILES

23 - 01483 - JAW

TRUSTEE'S NOTICE AND MOTION TO MODIFY

COMES NOW Harold J. Barkley, Jr, the duly appointed and qualified Standing Trustee in the above cause and moves to modify the above proceeding for reasons to be shown below.

1. The Debtor's Chapter 13 Plan was confirmed by Order of this Court entered on November 17, 2023.

2. That, the Trustee has funds on hand and accumulating for the benefit of timely filed unsecured creditors.

3. Therefore, Debtor's Plan should be modified to use funds on hand and accumulating to pay an increased distribution to timely filed unsecured creditors with the Trustee to determine the proper percentage distribution.

4. That, the indebtedness of those creditors not timely filing proof of claims should be paid \$0.00 and said indebtedness should be discharged upon completion of this plan.

5. That, the Debtor's Wage Deduction Order should remain unaltered and be honored until the Debtor has completed payments per the confirmed plan.

6. **You are hereby notified** that all Objections must be made in writing to the Clerk of this Court. Attorneys and Registered Users of the Electronic Case Filing (ECF) system should file any response using ECF. Others should file any response at U. S. Bankruptcy Court, U. S. Courthouse, 501 East Court Street, Suite 2.300, Jackson, MS 39201, with a copy mailed to the Trustee at the address below.

7. **You are further notified** that all Objections must be made within thirty (30) days of this date, being July 7, 2025.

8. **You are further notified** that should no Objection be timely filed, the Court will be requested to enter an Order ex parte.

9. Other grounds to be shown at a hearing hereon.

WHEREFORE, PREMISES CONSIDERED, Trustee prays that this motion be received and filed, and at a hearing hereon this Honorable Court will enter its Order sustaining Trustee's Motion to Modify, and for such other, further and general relief to which the Trustee and this bankrupt estate may be entitled.

Dated: June 4, 2025

Respectfully submitted,

/s/Harold J. Barkley, Jr.

HAROLD J. BARKLEY, JR. - MSB #2008

CHAPTER 13 TRUSTEE

POST OFFICE BOX 4476

JACKSON, MS 39296-4476

PHONE: 601-362-6161

FAX: 601-362-8826

E-MAIL: HJB@HBARKLEY13.COM

C E R T I F I C A T E

I, Harold J. Barkley, Jr., Trustee, do hereby certify that I have this date mailed a true and correct copy of the foregoing pleading to the following parties by United States Mail, postage prepaid or by ECF Filing Notification:

Office of the U S Trustee
ustpreion05.ja.ecf@usdoj.gov

Hon. Thomas C. Rollins, Jr.
trollins@therollinsfirm.com

Benjamin Harrison Wiles
6404 Hwy 49
Benton, MS 39040

Dated: June 4, 2025

/s/Harold J. Barkley, Jr.

HAROLD J. BARKLEY, JR.